

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

18 U.S.C. § 922(g)(1) – Felon in Possession of Firearm and Ammunition

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

 PENALTY: Maximum Prison Term of Ten Years;
 Maximum Fine of \$250,000
 Maximum Term of Supervised Release of Three Years;
 Mandatory Special Assessment of \$100.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

FILED**DEFENDANT - U.S.**

▶ DELAY GRAHAM

DISTRICT COURT NUMBER

 CR 16 538 JSW
 DEC 22 2010
 SUSAN Y. SOONG
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI

- ☒
- person is awaiting trial in another Federal or State Court, give name of court

ALAMEDA SUPERIOR COURT

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) SCOTT D. JOINER

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1)
- ☒
- If not detained give date any prior summons was served on above charges ▶

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST ▶

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

- ☐
- SUMMONS
- ☐
- NO PROCESS*
- ☒
- WARRANT

Bail Amount: _____

If Summons, complete following:

- ☐
- Arraignment
- ☐
- Initial Appearance

Defendant Address: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED
2016 DEC 22 P 12:53
SUSAN H. LONG
CLERK, U.S. DISTRICT COURT
NO. DIST. OF CA.

UNITED STATES OF AMERICA,

v.

CR 16 538

JSW

DELAY GRAHAM,

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm;
18 U.S.C. § 924(d)(1) – Forfeiture of Firearm and Ammunition

A true bill.

Foreman

Filed in open court this 22nd day of

December

Ada Means

Clerk

NO BAIL WARRANT

Bail, \$

Jacqueline Scott Corley
United States Magistrate Judge

CR 16-538 JEN

1 BRIAN J. STRETCH (CABN 163973)
2 United States Attorney

FILED
2016 DEC 22 P 12:52
SUSAN L. BLING
CLERK, U.S. DISTRICT COURT
NO. DIST. OF CA.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 DELAY GRAHAM,

15 Defendant.

No.

VIOLATIONS: 18 U.S.C. § 922(g)(1) – Felon in
Possession of a Firearm; 18 U.S.C. § 924(d)(1) –
Forfeiture of Firearm and Ammunition

OAKLAND VENUE

18 INDICTMENT

19 The Grand Jury charges:

20 COUNT ONE: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition)

21 1. On or about December 6, 2016, in the Northern District of California, the defendant,

22 DELAY GRAHAM,

23 having been previously convicted of a crime punishable by a term of imprisonment exceeding one year,
24 knowingly possessed a firearm and ammunition, specifically one Glock 30, .45 caliber semi-automatic
25 handgun, bearing serial number WZB215, and fourteen (14) rounds of .45 caliber ammunition bearing
26 the head stamp “CCI 45 AUTO,” each in and affecting interstate commerce, in violation of Title 18,
27 United States Code, Section 922(g)(1).

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INDICTMENT

1 COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition)

2 2. On or about December 6, 2016, in the Northern District of California, the defendant,
3 DELAY GRAHAM,
4 having been previously convicted of a crime punishable by a term of imprisonment exceeding one year,
5 knowingly possessed a firearm and ammunition, specifically one Glock 22, .40 caliber semi-automatic
6 handgun, bearing serial number NMC937, and fifteen (15) rounds of .40 caliber ammunition bearing the
7 head stamp “Winchester S&W 40,” each in and affecting interstate commerce, in violation of Title 18,
8 United States Code, Section 922(g)(1).

9 FORFEITURE ALLEGATIONS: (Firearms and Ammunition –18 U.S.C. § 924(d)(1))

10 3. The allegations contained in Counts One and Two of this Indictment are realleged and by
11 this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions
12 of 18 U.S.C. § 924(d)(1).

13 4. Upon a conviction for any of the offenses alleged in Counts One and Two above, defendant,
14 DELAY GRAHAM,
15 shall forfeit to the United States any firearm or ammunition involved in or used in any knowing
16 violation of said offense, including but not limited to the following property: one Glock 30, .45 caliber
17 semi-automatic handgun, bearing serial number WZB215, fourteen (14) rounds of .45 caliber
18 ammunition bearing the head stamp “CCI 45 AUTO,” one Glock 22, .40 caliber semi-automatic
19 handgun, bearing serial number NMC937, and fifteen (15) rounds of .40 caliber ammunition bearing the

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1 head stamp "Winchester S&W 40.";


2 All in violation of Title 18, United States Code, Section 924(d)(1), and Rule 32.2 of the Federal
3 Rules of Criminal Procedure.

4
5 DATED: 12/22/16

A TRUE BILL.

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7 
8 FOREPERSON

9 BRIAN J. STRETCH
10 United States Attorney

11 
12 DAMALI TAYLOR
13 Deputy Chief, Organized Crime Strike Force

14 (Approved as to form: )
15 AUSA SCOTT D. JOINER

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INDICTMENT